

## **DETAILED ACTION**

### ***Election/Restrictions***

1. In light of Applicants' arguments and upon further consideration, the restriction requirement is withdrawn and claims 35-49 have been examined.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lisa M. Matovcik on March 6, 2008.

The application has been amended as follows:

35. (currently amended) A method for enhancing an immune response of a host, which comprises administering to the host an antigen ~~or a product of interest capable of inducing an immune response by the host~~, and a composition comprising a biologically acceptable carrier and a molecule selected from (i) GlcNAc-MurNAc-L-Ala-D-Glu-mesoDAP (MTP); (ii) MurNAc-L-Ala-D-Glu-mesoDAP; (iii) L-Ala-D-Glu-mesoDAP; and (iv) the molecule in which the L-Ala of (i), (ii), or (iii) is replaced with D-Ala, wherein the molecule is administered to the host in an amount sufficient to enhance the immune response.

### **REASONS FOR ALLOWANCE**

3. The following is an examiner's statement of reasons for allowance: A careful search of the prior art reveals no previously known connection between Nod proteins and MTP; furthermore the prior art neither teaches nor suggests the use of compounds containing L-Ala-D-Glu-mesoDAP or D-Ala-D-Glu-mesoDAP in any of the methods.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JENNIFER I. HARLE whose telephone number is (571)272-2763. The examiner can normally be reached on Monday through Thursday, 6:30 am to 5:00 pm,.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang can be reached on (571) 272-0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jennifer I. Harle  
Examiner  
Art Unit 1654

/Christopher R. Tate/  
Primary Examiner, Art Unit 1655